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DOCKET NO.: 4085-235-27 CIP

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Serial No.: 09/759,152
Applicant(s): Michelle A.J. PALMER, et al.
Filing Date: January 16, 2001
For: SYSTEMS FOR SENSITIVE DETECTION OF G-PROTEIN COUPLED
RECEPTOR AND ORPHAN RECEPTOR FUNCTION USING REPORTER
ENZYME MUTANT COMPLEMENTATION
Group Art Unit: 1646
Examiner: John D. Ulm

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Christopher W. Raimund
Registration No.: 47,258

Applicants respectfully traverse this restriction requirement in view of the following remarks.

In particular, Applicants submit that examination of all of the claims in Groups I and II would not pose an undue burden on the Examiner. Section 803 of The Manual of Patent Examining Procedure states that “[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” Groups I and II are classified in the same class. Therefore, Applicants submit that it would not pose an undue burden on the Examiner to examine all of the claims pending in Groups I and II of this application.

In view of the above, the restriction is believed to be improper and Applicants respectfully request that the restriction be reconsidered and withdrawn such that the claims of Groups I and II (i.e., Claims 1-25) are examined in one application.

Applicants submit that the application is now in condition for examination on the merits. Early notification of such action is earnestly solicited.

Respectfully submitted,

PIPER RUDNICK LLP

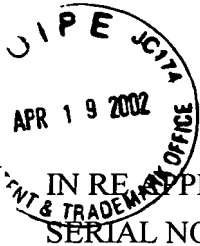


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Michelle A.J. PALMER, et al.

ART UNIT: 1646

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WASHINGTON, D.C. 20231

SIR:

Responsive to the Restriction Requirement dated March 22, 2002, Applicants elect, albeit with traverse, Group I, Claims 1, 6-13 and 15-25, for further prosecution at this time. This response is timely filed on or before April 22, 2002.

REMARKS

The Examiner has required restriction in the above-identified application as follows:

Group I: Claims 1, 6-13 and 15-25, drawn to a DNA molecule encoding a modified hybrid arrestin and methods of use; and

Group II: Claims 2-5 and 14, drawn to a DNA molecule encoding a modified hybrid G protein-coupled receptor and methods of use.

Thus, the 25 claims pending in this application have been separated into two separate groups. Applicants elect, with traverse, Group I, Claims 1, 6-13 and 15-25 for examination purposes only.

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